G R S App F IX 4]

1947-48

File No 79-47

Previous References

(ML)

Serial Nos 3, 4, 5

Later References

ML Dep No 451/48-49

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for April '48

SUBJECT

Protest against the sale of Site on west of Motilal Talkies, Old Agrahara Mysore-.

To The Chairman, C I T B, Mysore

No L 15378/D 1-4-48

Conveying the approval of Govt to the Sale

No L 15379/D 1-4-48

To Yajamman Chikkadasappa & others

2921, Chamunda Extn, Mysore

Petn dt 3-11-47 from one Dr Y [redacted] and Chikka Dasappa & other owners of properties located near Nelmdal Talukas, old Agrahara, Mysore that the auction of the sites formed in the area acquired from them may be set aside ~~and~~ for reasons stated

1) Orders of the Govt Minister for Finance & D & C

'Rw secy - please call for an urgent report from the Dpty Comr of Mysore - Let fin then action be deferred till after the report is received'

(Sd) HCD'
dt 7/11/47

2) Submitted with a draft letter accdgly.
MA dt/11

3) Issue as since

dt/11/47

To,

The Dpty Comr of Mysore
D 10824 dt 10-11-47
calls for a report

MA 18/11

3. Another petn dt 18-11-47 from
Sri Yagaiah Chukkadasappa
Door No 2921, Chamundi Extension
Mysore praying for the grant of a
shop site in the area etc & offers
to Notified Talkies where his
property acquired

4) Orders of the Minister for
Finance & Industries -

The allocation of shops itself
as yet, if any seem to be a problem when
they are to be sold in auction or given
at upset price to those whose lands
have been acquired is the question
The chairman Trust board will put
up proposals"

(Sd) H C D
8/12/47

5) The previous petition received
submitted

3

L4[illegible]J3345/L

Serial No

from the proprietors Bhatkhandasaffa and others owners of properties near Motilal Talkies praying for the cancellation of the auction held in respect of the sites from out of those area acquired from them, has been sent for the chairmans, Bombay Trust Board for a report with direction that further action be deferred till the receipt of final orders

6) As per orders of the Minister at para 4 supra, another draft letter as further An endorse is also

put up,

Sd/ [illegible]

27/12

Sd/ [illegible]

Sd/ 11.48

TYPING SECTION
6 JAN 1948

To,

The chairman, C B T.
Bombay-Bombay.

L 12406 dt 21-4-47
calls for a report.
Endt No L 12407.
Letter No BL P R 24/47 dt 16-1-48
from the chairman, C B T Bombay,
Bombay forwarding a report

NOTE—Contn Sheet

Serial No

8) Mrs relates to the petition of one M Yagaswamy Chettiar and others owners of properties located near the Hotels Talkies, Nyanza praying for the cancellation of sales formed out of the properties acquired from them in connection with the formation of a Square in front of the Hotels Talkies at the place

9) The report of the chairman, C I T Board, Nyanza on the above representation is submitted for perusal It is seen that 16 persons owners of shops & dwelling houses - are affected & 23 properties are involved in this connection The cost of acquisition is reported to be Rs 36,750/- The owners except two whose cases have been referred to the decision of the court, have, it is learnt, accepted the award and received the money made in this respect and

10) It is learnt that the sale

of eight sites formed there as was conducted in accordance with the rules approved by the govt and it has fetched a sum of Rs 43,350/- as against the estimated cost of the scheme amounting to Rs 40,750/-

11) In addition to the compensation some of the owners of the houses have been permitted to take the materials of the houses demolished, free of cost- as a Concession.

12) It is also reported that shops being built and rented out by the Trust Board in future as far as possible proposals will be put up for to avoid such conflict itself the chairman is of opinion that there are no grounds to cancel the sale already held and to depart from the principle adopted for the disposing of sites, as already approved by the govt

13) In this connection, it is submitted that there are numerous petitions protesting against the acquisition of houses and properties by the Trust-Board of Myre for improvement purposes in various parts of the City. In most of the cases the petitioners urge that the area acquired from them may not be allowed to be auctioned by the Trust-Board and that the sites to be formed thereon may be re-allotted to the owners themselves ~~in such cases~~

14) In the above circumstances points for consideration are :-

1) whether the auction

held by the Trust Board unexpired
of the eight sites formed out of the
area acquired by the Trust-
Board in front of the Notedale
Talkies at Nythe may be
cancelled & the sites formed
thereon may be re-allotted
to the owners themselves if
this is approved, ~~the sites may~~
~~be disposed of~~ the selection
may perhaps be made by
lots, as there are as the number
of owners is greater than that
of the sites available

iv) whether the action of the
Trust Board may be approved
v) submitted with reference to
proposals 4 & 5 above

Mem Pri 27/1 27/1 Pri 28/1 The detailed report of the Chairman of the Improvement Trust Board, Nythe is for perusal with reference to the orders of the

Collins Mal 135-46-5/4 that a Colly of the of 3-5-47 may be sent urgently
Pri 27/1-P
a collection perhaps another file will be necessary after the return of the former
Mem 28/1 Pri 28/1

Auction of sites in front of Mottisfont Abbey

Minister at para 1 & 2 supra.
In the cases stated, the disposal of
the sites by public auction already held
may be approved, the granting of contracts
& options thereto, the agency of the
Trust Board being confirmed in the cases
the sites available under the Ministry now
scheme & no alternative more scheme
scheme & no alternative more scheme
17) for order - see para 4 supra
newsy letter

18) Reference para 4 supra -

19) In the circumstances
reported by the chairman, the
The action taken by him in
regard to the disposal of
some of the sites in public
auction may be approved

20) As in regard to the
remaining sites, the proposals
of the chairman to put
up shops & licences through
the Board's agency may be
awaited -

Minister)
Finance Dept)

2/2/48
[illegible]

OFFICE OF THE MINISTER
OF FINANCE & INDUSTRIES
To 1707
Date 3/2/48

2422-[3345-

9

General and Revenue Secretariat | File No | of 194 | [App I III-2

Serial No

1707

21) I have seen the spot more than once & heard also the representations The acquisition has not cost much which has got to be made up either by sale of the land and sites by public auction or by the Improvement Board building on them as a paying proposition & all such cases after opening out the locality, the land comprising of the sites newly formed gains enormously in value It would have been worth very little before the opening out having been wedged in by other buildings It would not be fair for the original owner to claim now to take advantage of the huge cost incurred in acquiring the & laying out the area The sales that have been effected therefore by public auction &
at the Notial Rates & may be confirmed

28/2

1/3

A draft letter is perhaps for the Chairman and an endorsement to the Secty

3/3

Dft I is for appl

Revised for

Approved 8/8/48

8

8/8/48

PLANNING CELL 1/3

ING SECTION 5 MAR 1948

2708 4/3

NOTE—Contn Sheet

File No. of 194

General and Revenue Secretariat

Serial No

To,

Mr Chukka Basaiya & others

L 15379 dt 1-4-48
Rejects the prayer of the petitioner

L 15380 dt 1-4-48 — copy to the Chairman, Hyderabad Board.

Bo 20/-

S.O.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE DEPARTMENTS

G O No L 15423 5—Ml 135 46 4, dated 3rd May 1947

Disposal of Sites

Approves of the rules in regard to the —— in Mysore City

READ—

Letter No L 5883—Ml 35 46 2 dated 13th November 1946 addressed to the Chairman City Improvement Trust Board Mysore issuing certain instructions in regard to the disposal of sites by the City Improvement Trust Board in Mysore City

2 Letter No M5 C 112—46 47 dated 28th December 1946 from the Chairman City Improvement Trust Board Mysore stating that the Trust Board has been following from its very inception a definite and well recognised policy in the disposal of sites formed by them with a view to affording relief to the poor to the dishoused and houseless middle class people in Mysore City who cannot compete in the public auction and preventing capitalists from monopolising house property in the City and forwarding for sanction a copy of the resolution passed by the Board at its meeting held on 18th December 1946 in regard to the definite procedure to be followed by the Board in future in regard to the disposal of sites in Mysore City

3 Letter No Mu C 112—46 47 dated 13th February 1947 from the President City Municipal Council Mysore on the subject

ORDER No L 15423 5—ML 135 46 4, DATED BANGALORE, THE 3RD MAY 1947

In the circumstances reported, Government are pleased to approve, in modification of the existing rules, of the rules framed now by the City Improvement Trust Board, Mysore in regard to the disposal of sites in Mysore City subject to the restrictions as noted in the annexure

The Chairman, City Improvement Trust Board, Mysore, is requested to take further action to incorporate the said rules as Appendix L of the Business Manual of the Trust Board

SYED ABDUL ALEEM,
Secretary to Government,
Revenue Department

To—The Chairman City Improvement Trust Board Mysore
The President City Municipal Council Mysore
The Comptroller to Government

Exd —B G S

ANNEXURE

***Re* procedure to be followed in regard to the disposal of sites in the Mysore City by the Trust Board**

1 Sites for cinemas theatres hotels shops and other commercial and industrial purposes may be sold in public auction

2 Important house sites selected by the Board considering their location may be sold by public auction

3 House sites to dishoused houseless middle and poor classes of the City may be sold at upset price as fixed from time to time by the Board

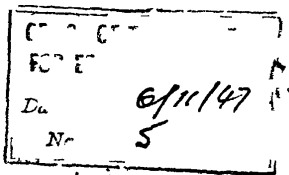
4 Sites for educational religious charitable and other public purposes may be granted to *bonafide* institutions at upset price or free of cost according to circumstances

5 Sites formed out of properties acquired may ordinarily be sold to the dishoused persons in that area at upset price or by public auction unless the area acquired is for any definite purpose

6 Sites if any in the old City area may ordinarily be disposed of by public auction

NOTE —The above procedure is subject to the condition that in the case of every free grant of immoveable property whatever may be its value and of every sale or other transfer of immoveable property exceeding five thousand rupees in value, the previous sanction of the Government should be obtained (*Vide* Government Order No L 10653 5—Ml 135 46 8, dated 7th November 1947)

W D 1337—GPB—250—11-2-48



2422/m1

Health & Education,
Municipalities, (Trust Board
of Mysore,
BANGALORE

Sir,

Re Acquisition of our houses and Laligas and re-auction of same, despite our prayers, to grant us at least one shop site to each of us

---

We the undersigned applicants whose interests having been deforced, beg to submit this appeal before your Honour, for an equitable and kind orders protecting our interests at least to some extent/to heal our losses.

1 That the authorities of the Trust Board, acquired our houses and shops located in the most vivacious and commercial locality, near Mothilal Talkies Old Ashabar, Mysore, on some bona fide and public requirement for improvement, and we were forced to concede to the same, on the explicit belief that the same must have been required for the improvement of the City. We were all paid a very nominal AWARD

2 But contrary to the above intentions, the authorities converted ther to actual sites, and auctioned same to public, thus realizing a huge, and abnormal profits of uncomparable, and most abnormal profits, that any other trade could actually result with We request you to pardon us for eliciting facts and truth in this instance, because we were deforced of our properties and paid nominal awards, while the same was auctioned and huge arounts collected

3 Before putting ther for auction, on 2nd 8 1947, we made a petition to the Municipal Councillors and the Chairman, to at least give each of us one site for constructing our shops, as we are put to ruch trouble for want of shops to continue with our trade of for living maintenance of our families But, our application was shelved and the auction was allowed to take place on 2 11 1947

4 Under the above circumstances, as we have failed to secure Justice, we pray that your Honour may be pleased to interven into

P T O

into the matter, and our most disappointed case, and be pleased to SET ASIDE THE AUCTION SALE and to hear our grievances, by getting the concerned records and on the merits of our hurble representations We solicit justice to be made prominent and dominate - and our grievances are redressed

Ever we feel grateful and with respects,

Please issue kind endorsement to the following address, being one of the applicants to this petition-

We beg to remain,
Respected Sir,
Yours most obediently

Yajaman Chikkadasappa,
2921, Charundipuram,
MYSORE

Date 3_11 1947

1) [illegible] Nanjappa s/o. C Honnap
2) ✓ D Shamanna
3) ✓ [illegible]
4) ✓ D Mahadevappa
5) ✓ D Chandrasekarial
6) ✓ B. Nanjappa / ✓ B Mohalla
7) ✓ [illegible]
8) ✓ [illegible]
9) ✓ MC Channamallappa
10) ✓ [illegible]

Appendix F G —1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the 194

Date of issue 10-11-47

Signed by Mr D'Mello

List of enclosures

Copied by

Examined by

Section

File No

Serial No

No L 10824

To

The Pdt, Exp Mal-el,
Mysore

Sir,

In forwarding herewith a petition dt 3-11-47 (in original to be returned with the reply) received from Mr Yajamanan Chikkadasappa & other owners of properties located near the Mottilal Talkies, Old Agrahara, Mysore City re the question of the sites formed out of the property

acquires from them and to
request you to ~~soon~~ submit
immediately a report in the matter
Till the receipt of final
orders from you in further proceedings
in this behalf may be stayed

I have etc

J R Wilcocks

5

Regd post

Let the Rev Seer inform Chairman DBD Mysore to have the paper/proceedings of Mysore office when issued next-soon after the

REGISTER

P 579

18/12

REV SECRETA

19 DEC 1947

3343

BRANCH

No

Date 18/12

GOVERNMENT OF

[illegible]

[illegible]

10-12-47

Immediate

P
29-11-47
T.B.)

L. 12159. 27.12.47

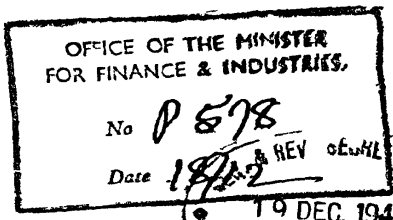
Forwarded with compliments to the Chairman, ~~[illegible]~~ City Improvement

24/12 Trust Board, Mysore. The paper may be submitted to the Minister for Finance & Industries when he visits Mysore

By order

M. K. Varadarajan
for Revenue Secretary

7



The Minister for Trust Board &
Municipalities,
to the Government of Mysore,
BANGALORE
====

From,
Yajaman Chikkadasappa,
Door No 2901, Chamundi extension,
MYSORE

Respected Sir,

I respectfully beg to submit this my application for continuation of my previous ores, and emphatically pray that I may kindly be granted with justice at least now

1 That my valuable properties house and maliges bearing No 2088, No 2088/1 and No 2089, located opposite to Motilal Talkies, old Agrahar - Mysore (in a very correrial centre) were acquired by the Trust Board

2 The then Chairman, was pleased to give assurance to me that I would be given a shop site for construction of my shop and to carry on with my only dependable trade in the same locality With this assurance and belief, I conceded to the acquisition of my valuable properties without any protest, and even accepted the award granted to me, although evidently such an award was and is not in conformity with the valuation of the acquired properties of mine

3 The then Chairman, according to his assurances to others - whose properties had been acquired has given shop sites to the following persons as detailed hereunder-

Lessrs

i)	Doddayallappa	2 Shop sites @ Rs 2/- per Sq Yd
ii)	Basavarajappa	1 do site @ Rs 2/- do do
iii)	Gowder Siddappa & Sons	2 shop sites @ Rs 2/8/- per Sq Yd
iv)	Dasappanavara Thammiah	2 shop sites @ Rs 2/- per Sqr Yd

Besides, shop sites have been given to 19 persons - each at one shop site, at Santhepet, whose properties were acquired by Trust Board While so, it is very unfortunate that my case is thwarted and my business is allowed to extinct for want of a shop I am apparently suffering very much, since my properties are acquired, and I am deprived of a shop site to construct a shop and carry on

P T O

on with my only trade of maintenance of my family.

4) I beg to submit that despite my petitions to grant me a shop site, the said sites have been auctioned on 2 11.1947, which has further multiplied my troubles

5) Under the above circumstances, and as shop sites have been granted to several owners, whose houses have been acquired and thus enabling them to continue with their business, I pray that your Honour may be pleased to cancel the auction sale, and to grant me ALSO ONE SHOP SITE IN THE VICINITY OPPOSITE TO MOTHILAL TALKIES WHERE MY PROPERTIES SO ACQUIRED SITUATED, and thus help me to construct a shop and continue to carry on with my business I shall of course construct the shop according to the approved plan.

I feel confident that equity and justice needs your kind and prompt attention and orders being kindly issued to grant me a site for the construction of a shop as prayed for by me in this and previous applications

Ever I feel grateful and with respects, solicit favour of kind orders.

I beg to remain,

Respected Sir,

Your most obedient servant,

Date 18 11 1947

ಯಜಮಾನ ಚಿಕ್ಕದಾಸಪ್ಪ

Yajaman Chikkadasappa

I beg to submit that on 3 11 1947, I had tendered an application in the above matter, but since I have not even received your kind ackrowledgement, I am submitting this petition, reiterating my prayers, with fervent hope that at least this would bring me solace and satisfaction

End 12407 #148

L 12406/2

10/148

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

To,

The chairman,

C I T Board,

Mysore

Sir,

I am directed to invite reference to this office letter No L 10824 dt 10-11-47 forwarding a petition received from Rajaman Chikkadasaffa & other owners of properties located near the Nothal Talkies at Hyme praying for the cancellation of auction of the sites formed out the properties acquired from them and to forward herewith another copy of petition since received from Mr Rajaman Chikkadasaffa.

WD 0282—GPB- 22 500—14 3 38

~~of the Peace~~ himself praying
for the grant of a shop site
at the place in lieu of the
property acquired from him, and to report
~~thereon~~ a report as to whether
the shop-sites so sold as yet, if any,
in this area should be sold in
public auction or given at upset-
price to those whose lands
have been acquired or whether such proposal
definite proposals in this behalf
may kindly be submitted together
with the report, as already
called for in this office letter
No 10824 of 10-11-47 in the matter

Thanking you,

Yours sincerely,

[illegible]

No RB B K 24/47-48/Encl 3 Pets

Office of the Chairman
City Improvement Trust Board

Mysore Dated 15th January 194 8

From N S Hirannayya Esq M A
CHAIRMAN CITY IMPROVEMENT TRUST BOARD
MYSORE

To, Syed Abdul Aleem, Esq, B A,
SECRETARY TO THE GOVERNMENT OF
HIS HIGHNESS THE MAHARAJA OF MYSORE
REVENUE DEPARTMENT BANGALORE

Sub - Petition of Yajaman Chikkadasappa & others protesting auction of sites in front of Motilal Talkies, Old Agrahar, Mysore.

With reference to your letter No L 12406 dated the 10th January 1948 calling for a report on the above petition, I have the honour to state that the sites in question were acquired for forming a Square in front of the Motilal Talkies, Old Agrahar, Mysore This was a very congested locality and badly required being opened out 23 properties belonging to 16 persons consisting of shops and dwelling houses were acquired at a cost of Rs 36,750/- The allegation made in para 1 of the petition that a nominal award was passed is not correct A fair price was awarded, the owners accepted the compensation in most cases and compensation has been taken There are only 2 exceptions viz, Messrs T Thammiah and C Honnappa who own three properties and those cases are pending before the Court for enhancement of compensation

After using a portion of the acquired area for forming a square and foot-paths the remaining extent has been marked out into 8 shops sites and disposed of by public auction in accordance with the instructions conveyed in Government Order No L 15423-5/Ml 135-46-4 dated the 3rd May 1947

In para 2 of the petition, it is alleged that huge profits were made by the sale of these sites This is absolutely incorrect As already stated, the expenditure on the square is as follows -

1	Cost of acquisition	Rs 36,750/-
2	Cost of layout	4,000/-
	Total	Rs 40,750/-

The sale actually held on 2-11-1947 has fetched a sum of Rs 43,350/-, It is very clear that there has been no abnormal margin between the total cost of acquisition and layout and the amount realised in the sale and since two cases are before the Court for enhancement of compensation, it is likely that the whole scheme may even end in a net

P T O

10 12

loss It is therefore, quite wrong to imagine that the Board has been profiteering in this matter

On the other hand, in addition to the compensation a great concession has been shown to the dis-housed persons who are permitted by the Board to take the materials free of cost except in a few stray cases

As regards para 3, a petition has no doubt been given but it did not appear necessary to change the mode of disposal already fixed by Government In the first place it would be very inconvenient principle to recognise if we were to permit owners of properties acquired to have an interest in the subsequent disposal of the sites Their claim on the area expires with the passing of the award Once we agree that the purpose for which the properties are acquired is a public one, the parties could have no further interest in the matter

In the second place as against 16 persons whose properties were acquired only 8 sites were formed It would therefore be not possible to accommodate all the dis-housed persons and any discrimination made with regard to selection of persons would certainly be resented greatly

Lastly, Government has prescribed a mode of disposal of these sites viz , by public auction and there were no grounds to depart from this principle

It is no doubt true that it causes a certain amount of heart-burn to the parties whose properties have been acquired to see their areas handed over to others after sale I am therefore as far as possible putting up proposals for building shops or houses through the agency of the Trust Board itself and then renting them out This would not only enable the Board to get a steady income but prevent the kind of agitation which we are now having not only about the area near the Motilal Talkies but also in connection with the Straight Road Scheme and with the Dhanvantri Road Scheme

I hope to intimate to Government early the views of the Board in the matter The petitions received with Nos L 10824 dated 10-11-1947

(Next sheet pl

L 12159 dated 27-12-1947 and L 12406 dated 10-1-1948 are retransmitted

I have the honour to be,
Sir,
Your most obedient servant,

Chairman.

HRS/3

Draft

14

To, L. 15378/ ML 9-47-4
The chairman, [illegible]
[illegible], Mysore

Sir,

With reference to the correspondence ending with your letter No B2 PR 24/47-48 dt 16-1-48, forwarding a report on the petition of Yajaman Chikkadasappa and others protesting against the auction sales in front of Natraj Talkies, Old Agrahara, Mysore, I am directed to convey the approval of Govt to the above sale of sites in public auction

in public auction I already held of the sites fixed at the spot

I have etc

for [illegible]
16/3/48
Secy

Recd 16/3/48 D-T-

TI off

2 copies

Endorsement from

Thayaumanavan Chikkadasappa

and others

D No 2921, chamunda

L. 15379/ ML79-47-5 Mysore

1-4-48 petition

with reference to their d 3-11-47

addressed to the Minister for Industries &

Commerce and ~~accompanying~~ praying for the

~~their endorsement~~ NO praying for the

cancellation of the sale of sites,

~~held~~ held in public auction,

in favour of the Hotel Falkner, old

Agrahara, Mysore, the petitioners

are informed that ~~they~~ there

no reason to interfere with

the decision arrived at by the

C J T Board, ~~as such~~ Mysore in

the matter ~~and that~~ their ~~petition~~ petition

is accordingly rejected

sd

for

Secretary

Recd L 15/385 1-4-48

copy of the above is forwarded w/c to

the chairman C J T Board, Mysore inviting

attention to the letter dd

~~the~~ of sd

Notes — 10 Pages.

Questions — 15 Pages